



The Comptroller General  
of the United States

Washington, D.C. 20548

Shimamura

## Decision

**Matter of:** Quality Trust Construction Company

**File:** B-235491

**Date:** May 22, 1989

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### DIGEST

A bid which provides only one individual surety rather than two as required by the bid bond must be rejected as nonresponsive where none of the exceptions allowing acceptance of such a bid is applicable.

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### DECISION

Quality Trust Construction Company, the low bidder, protests the rejection of its bid as nonresponsive and the award of a contract to Abbott Construction, Inc., under solicitation No. GS06P89GYC0043, issued by the General Services Administration (GSA), Kansas City, Missouri, for site improvements for the Eisenhower Library.

We dismiss the protest.

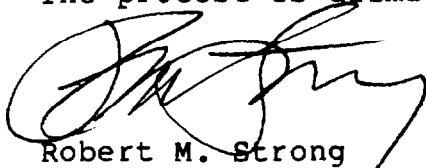
The IFB required the submission of a bid bond with each bid. As required by Federal Acquisition Regulation (FAR) § 28.202-2 and the instructions on the standard bid bond form, any bidder who chose to use individual sureties was required to have two such sureties execute the bid bond. Because Quality furnished one individual surety, rather than two, on its bond, the contracting officer rejected its bid as nonresponsive.

Quality concedes that it failed to furnish two sureties as required, but contends that it nevertheless should receive award in view of the grave economic consequences it will suffer if it is not awarded the contract.

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A bid that does not comply with a solicitation requirement for a bid bond generally must be rejected. Such a bid is nonresponsive and may not be considered except under circumstances set forth in FAR § 28.101-4, none of which is applicable here. Fort Steuben Enterprises, B-233746, Dec. 22, 1988, 88-2 CPD ¶ 621. While the hardships Quality may suffer as a result of the rejection of its bid are unfortunate, GSA had no choice but to reject the firm's bid because a nonresponsive bid may not be accepted or corrected after bid opening. Southern California Engineering Co., Inc., B-232390, Oct. 25, 1988, 88-2 CPD ¶ 391.

The protest is dismissed.

A handwritten signature in black ink, appearing to read 'R. M. Strong', is written over the printed name.

Robert M. Strong  
Associate General Counsel